

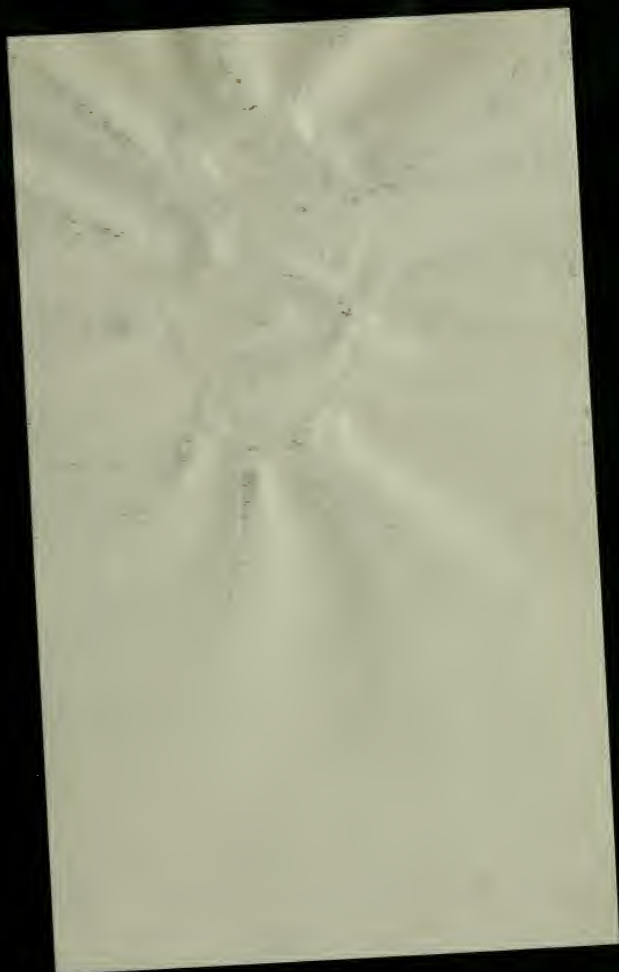
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In Memoriam.

HENRY E. DAVIES.



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In Memoriam.

HENRY E. DAVIES, LL D.

AT a special meeting of the Board of Trustees of the Mutual Life Insurance Company of New York, held December 19th, 1881, pursuant to the following call:

THE MUTUAL LIFE INSURANCE COMPANY
OF NEW YORK,

December 19, 1881.

To the Trustees:

Our friend and associate Trustee the Hon. Henry E. Davies, LL.D., venerable in years and honors, has passed to his rest. He died Saturday, the 17th instant, after a short illness. His funeral will take place at the Church of the Heavenly

Rev. D. Stuart Dodge

April 1882

Rest, Fifth Avenue, on Thursday, the 20th instant, at 9.30 o'clock A.M.

His associates in this Company deem it a fitting token of respect to his character and to his memory to meet and arrange for attendance at the funeral services, and for such other expressions of regret for their loss as they may deem fitting and appropriate.

You are respectfully requested to attend this meeting at the office of the Company, No. 146 Broadway, this Monday, the 19th instant, at two o'clock P.M.

Very respectfully yours,

F. S. WINSTON, *President*.

—present Mr. F. S. Winston, President, in the chair, Mr. Samuel E. Sproulls, Mr. Samuel D. Babcock, Mr. Henry A. Smythe, Mr. George S. Coe, Mr. John E. Develin, Mr. Martin Bates, Mr. Sey-

mour L. Husted, Hon. Oliver H. Palmer, Mr. Richard A. McCurdy, Mr. James C. Holden, Mr. Hermann C. Von Post, Mr. Lewis May, Mr. Thomas Dickson, Mr. Henry W. Smith, Hon. George H. Andrews, Mr. Robert Olyphant, Mr. Benjamin B. Sherman, Mr. Joseph Thompson, and Mr. Frederic Cromwell,—the President, immediately after the calling of the roll, briefly announced the death of Judge Davies, and stated that the object of the meeting was to take such action as might be considered proper to mark the respect entertained by the Board for the memory of Judge Davies, and their sense of loss by his decease; after which he read the following telegram which had just been received from Governor Robinson:

ELMIRA, N. Y., December 19, 1881.

Mutual Life Insurance Company,

146 Broadway, New York.

I am shocked and pained by the sudden death of Judge Davies, my friend of forty years. As an able lawyer, a wise and upright judge, a prudent Trustee of the Company, and a citizen of spotless integrity, he has filled an honorable place in the history of the State.

I unite with the Board in such action as it may take in commemoration of his death.

LUCIUS ROBINSON.

Mr. Develin moved that a committee of three Trustees be appointed by the Chair to prepare suitable resolutions for presentation to the Board at its regular meeting on Wednesday next, and accom-

panied his motion by a sketch of the public life and services of Judge Davies.

The motion was seconded by Mr. Andrews, who gave some incidents of his personal acquaintance with Judge Davies for a period of thirty years.

After which the resolution was unanimously adopted.

The President thereupon appointed as such committee Messrs. Develin, Robinson, and Palmer.

Mr. McCurdy moved that this Board attend the funeral in a body at the hour specified in the announcement thereof, which was carried unanimously.

Whereupon the Board adjourned.

And at the regular stated meeting held December 21, 1881,—present Messrs. Fred-

erick S. Winston, Samuel E. Sproulls, Samuel D. Babcock, Henry A. Smythe, Hon. William E. Dodge, Mr. George S. Coe, Mr. John E. Develin, Mr. Martin Bates, Mr. Seymour L. Husted, Hon. Oliver H. Palmer, Mr. James C. Holden, Mr. Hermann C. Von Post, Hon. Alexander H. Rice, Mr. F. Ratchford Starr, Mr. Frederick H. Cossitt, Mr. Lewis May, Mr. Oliver Harriman, Mr. Thomas Dickson, Mr. Henry W. Smith, Hon. George H. Andrews, Mr. Robert Olyphant, Mr. George F. Baker, Mr. Benjamin B. Sherman, Mr. Joseph Thompson, and Mr. Frederic Cromwell,—the minutes of the special meeting held on the 19th instant were read and approved.

After which the Secretary read the fol-

lowing letters from Governor Robinson and Mr. George C. Richardson :

ELMIRA, December 20, 1881.

F. S. Winston, Esq.

MY DEAR SIR: Your dispatch inviting me to be present at the meeting of the Board to-morrow reached me last evening. I regret extremely that circumstances beyond my control make it impossible for me to attend. The long and faithful service of Judge Davies in the Board, his rich experiences through so many years at the bar and upon the bench of our highest courts, and the valuable lessons of practical wisdom which he was thus enabled to impart to us, render it eminently proper that a just tribute should be paid to his memory.

Although I cannot be personally present, I shall in heart and spirit unite with my associates in such commemoration as they may think proper to make.

Yours very truly,

L. ROBINSON.

² BOSTON, December 20, 1881.

MY DEAR SIR: I have just received yours of the 19th instant informing me of the death of the Hon. Henry E. Davies. The Board of Trustees have indeed lost not only an able co-worker and adviser, but a genial companion; and I regret that my engagements prevent me from attending the funeral. His family have my heartfelt sympathy in their affliction.

Sincerely yours,

GEO. C. RICHARDSON.

F. S. Winston, Esq., President.

Mr. Develin, from the committee appointed at the special meeting, read the following report, which was on motion unanimously approved and adopted, and ordered to be spread upon the minutes:

To the Board of Trustees of the Mutual Life Insurance Company:

Your committee appointed at the special meeting held on Monday, December 19, 1881, to present a memorial and resolutions at the regular meeting to-day report :

That upon the roll of deceased members of this Board, Death has just placed another familiar name—Henry E. Davies. After having availed himself of the means of education afforded in his native county, the then remote St. Lawrence, Mr. Davies at an early age began the study of the law with the Hon. Alfred Conkling, an eminent jurist and judge of one of the courts of the United States, and was admitted to the bar in 1826.

For a time thereafter he practised his profession in the city of Buffalo; but a laudable ambition inspired, and his self-reliance, energy, and a forecast of the coming greatness of the metropolis

induced him to make his home here when the residents of the city numbered less than two hundred thousand—1830. He soon after entered into partnership with the Hon. Samuel A. Foote, a well-known practitioner of that day. Subsequently Mr. Davies became a partner of that enlightened jurist and popular judge Hon. William Kent, the distinguished son of an equally distinguished father, Chancellor Kent.

Side by side and in co-operation with these eminent members of the bar he rapidly advanced into prominence and became noted alike as a lawyer and a member of the Whig party, to which he had attached himself in his youth. His recognized fitness for the position, and his fidelity and services to his political associates, gained for him the office of Counsel to the Corporation of this city, the population of which had then advanced to a few thousand beyond a half million of souls. He discharged its duties promptly and energetically,

and contributed a much-needed and valuable work to the Lawyer's Library—a compilation of the statutes of the State relating to the city of New York and its ancient and modern charters. It fell within his province to take part as its counsel in the litigation against the city arising out of the destruction, by direction of the Mayor, of certain buildings in order to stay the great conflagration which years ago would, but for this violent remedy, have consumed the part above Wall Street as it had destroyed the lower portion of the city.

Soon after the close of his term as Counsel to the Corporation he was elevated to the bench of the Supreme Court, and subsequently the people of the State at large called him to a seat in its highest tribunal.

In these judicial positions Judge Davies's legal acquirements, experience, and acumen shone conspicuously. Retiring from the bench, he became

one of the Trustees of this Institution, and has ever since until his decease remained an active intelligent member. The details of his connection with it and his services it is unnecessary to recite here, as they are well known and have become a part of its history for the last two decades.

The interests committed to Judge Davies as a lawyer were varied and important. He was the adviser of large moneyed corporations. This Company on many difficult and sometimes critical matters has listened to his suggestions and advice; and eminent merchants and their representatives have entrusted their estates to his judgment and discretion.

Nor was Judge Davies unmindful of his fellow-men. He was a prominent and working member of the society, built up and fostered by the State, where the dumb are made as it were to speak, and the deaf to hear.

In manner he was affable, suave, and bland; in

action, mild and considerate, yet prompt and effective; and in opinion ready and firm. The elements were well mixed in him, and this Company, the bar, and the community at large may well grieve for him dead whom they trusted and honored in life.

It is but a brief month since—the last regular meeting-day of this Board—that Judge Davies occupied his usual and familiar seat in this room amongst us. Four days since he passed into “the undiscovered country from whose bourne no traveller returns;” and yesterday in common with a large assemblage of eminent citizens, who by their presence testified the estimation in which Judge Davies was held in this community, we paid the last sad rites to his lifeless form.

“The places that have known him shall know him no more forever.”

And your committee recommends the adoption of the following resolutions:

Resolved, That in the death of Judge Henry E. Davies the State of New York has lost one of its sons who in his lifetime shed lustre upon its highest tribunals, and the city of New York a citizen always active in upholding its rights and effective in developing its natural resources and attractions; and this Company and the members of this Board, have been deprived of a Trustee and an associate whose absence it shall not soon cease to feel and lament.

Resolved, That we tender our condolences to his stricken widow and sorrowing family, and express our profound sympathy with them in their sudden and great bereavement.

Resolved, That this memorial and these resolutions be entered upon the minutes, and that a copy signed by the President of the Company be transmitted to Judge Davies's widow and family.

JOHN E. DEVELIN.

O. H. PALMER.

Dated New York, December 21, 1881.

Pending the consideration of the above report Governor Rice said:

MR. PRESIDENT: It may be regarded as presumption in me to rise in a meeting consisting of so many representative men of the city in which Judge Davies lived for so many years, and where he was known and honored; yet I would be doing violence to my feelings if I did not add a single word to the graceful tributes which have been already paid to his memory.

I made his acquaintance about the time I became a Trustee of this Company, and the two circumstances are in fact so blended together in my memory that I only distinguish the one by reference to the other. I knew him in all the various relations of life, privately, socially, and as a public man, but much less intimately than many of the gentlemen present at this meeting. All I know of his early life I have gleaned from reading the obituary notices in the newspapers, and from the very expressive and appreciative report which has been presented here to-day by the committee.

Judge Davies always seemed to me to be an uncommon man both intellectually and socially. Like that of so many American lives so full of merit and instruction, his early life was lowly and deprived of all except the opportunities of a mere ordinary education; but Wordsworth has said "the child is father of the man." The focal point in Judge Davies's character was great diligence and ambition, and we trace in the quiet, industrious, persevering country boy without advantages of education the same characteristics which he illustrated in his later life by the indomitable energy and the power with which he pursued all such work as was given him to do. It was the possession of large natural endowments and diligence in applying them which enabled him to earn the noble station which he held, and to maintain undimmed the lustre that illuminated his declining years.

Among his most prominent attributes were great

generosity and warmth of nature, a cordial sincerity, and an affectionateness indicated even by the very grasp of his hand. He was always ready to do even more for others than was asked; willing to obey to the utmost the great commandment to "love our neighbor as ourselves."

The history of his public life was in many respects a history of the city in which he dwelt. He was attached to the grand commonwealth of which he was a citizen, and to the imperial city of his residence. He was proud of being a citizen of New York, anxious to do anything in his power to make it more great and more illustrious; and by no act or word did he ever do anything by which he dishonored either himself, his State, or his city, or left one blemish upon the brightness of his record.

For such a nature as his it was impossible to live in a great city and not take part in the whirl and turmoil of its public life. That which is

outward and demonstrative is only an index to that which is inward and unseen.

The Judge was a man of broad and comprehensive thought, and of deep and affectionate feelings; he had a great deal of forecast, and looked forward for many years in the disposition which he made of his own affairs, as well as toward the probable future growth, development, and welfare of the metropolis.

Considering the merits of such a man, maintaining in the maturity of his years and despite the weight of advancing age the undiminished vivacity and enthusiasm with which he participated in every movement for the public good,—I think to cite his example and dwell upon the fruits of such a life is the best possible eulogy that could be pronounced.

From the minutes, by order of the Board of Trustees,

F. S. WINSTON, *President*.

